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Kirschstein, Ottinger, Israel &
Schiffmiller, P.C.
551 Fifth Avenue
New York, NY 10176-0024

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**Director's Office
Group 2700**

In re Application of)
Mark T. Jeffrey, et al.)
Application No. 08/400,140) DECISION ON PETITION TO
Filed: March 6, 1995) WITHDRAW HOLDING OF
For: STM SWITCHING ARRANGEMENT) ABANDONMENT

This is a decision on the petition, filed July 17, 1997, to withdraw the holding of abandonment of the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the final rejection of December 9, 1996. A Notice of Abandonment was mailed on July 8, 1997.

Petitioner states that a response was in fact timely filed. To support this assertion, petitioner has submitted a copy of a return postcard which acknowledges receipt of a request for filing a continuation under 37 CFR § 1.62, a petition for an extension of time of (3) three months and a check for \$1,700.00 by the Patent and Trademark Office on June 10, 1997. The request included an Express Mail Certificate of Mailing dated June 9, 1997.

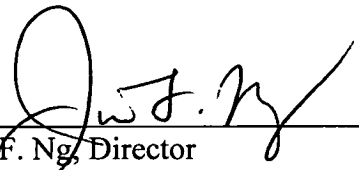
The original response was not associated with the application file at the time the Notice of Abandonment was mailed but has since been matched therewith.

The filing of a request under 37 CFR § 1.62 is considered an express request to abandon the parent application as of the filing date granted the continuing application. See 37 CFR § 1.62(g).

In view of the above stated reasons, the effective date of abandonment is changed to fall on the filing date granted in the continuing application.

The petition is **GRANTED** to the extent indicated.

The request under 37 CFR § 1.62 is being forwarded to Application Branch for processing.



Jin F. Ng, Director
Technology Center 2700-
Communications and Information Processing